

1616

Atty. Dkt. No. 032026-0700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hayes *et al.*
Title: Use of Biologically Active Vitamin D Compounds for the Prevention and Treatment of Inflammatory Bowel Disease
Appl. No.: 10/036,819
Filing Date: 12/21/2001
Examiner: S. N. Qazi
Art Unit: 1616

<p>CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450, on the date below.</p> <p>Bernard P. Friedrichsen (Printed Name)</p> <p><i>Bernard P. Friedrichsen</i> (Signature)</p> <p>March 25, 2004 (Date of Deposit)</p>

**REQUEST FOR TRANSMITTAL OF OFFICE ACTION AND
RESETTING OF TIME PERIOD FOR RESPONSE**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Examiner Qazi:

On January 12, 2004, Applicant's attorney, Bernard P. Friedrichsen, received electronic mail from Jason R. Bond, the attorney previously responsible for this matter, indicating that Mr. Bond had been contacted by the Examiner regarding an outstanding Office Action for this application. Mr. Friedrichsen immediately checked the status of this application on the U.S.P.T.O.'s Patent Application Information Retrieval (PAIR) system which indicated that a non-final Office Action had been mailed in this application on July 29, 2003. Applicants never received this non-final Office Action. Applicants called Examiner Qazi and requested that a copy of the non-final Office Action be sent to them and that the time period for response be reset. Examiner Qazi agreed to reset the time period for response and to transmit a copy of the non-final Office Action. Applicants have still not received the non-final Office Action or confirmation that the time period for response will be reset. **Applicants respectfully request that the Examiner reset the time period for response and send a copy of the non-final Office Action to the address associated with the customer number (23524) presented below.** Applicants note that a

Notice of Acceptance of Power of Attorney has now been received from the USPTO with respect to this application (mailing date of February 6, 2004). Further information regarding this application is presented below for the Examiner's convenience.

On December 4, 2002, Applicants filed a Revocation of Prior Powers of Attorney by Assignee/Appointment of New Power of Attorney by Assignee/Change of Correspondence Address. Applicants received the return postcard stamped December 10, 2002, with respect to the documents filed December 4, 2002. On January 20, 2004, a copy of each of the documents filed on December 4, 2002, the OIPE-stamped postcard for the documents filed December 4, 2002, and a Retransmittal of Revocation of Prior Powers of Attorney by Assignee/Appointment of New Power of Attorney by Assignee/Change of Correspondence Address were filed by facsimile addressed to Examiner Qazi. As noted above, Applicants have now received the Notice of Acceptance of Power of Attorney and take this opportunity to thank Examiner Qazi for her assistance. Because Applicants still have not received the non-final Office Action for this case, Applicants respectfully again request that the Examiner send them a copy of the non-final Office Action and reset the time period for response to this Office Action.

The Examiner is invited to contact the undersigned with any questions regarding this application if she should find this helpful.

The Commissioner is hereby authorized to charge any fee(s) which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-2350. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-2350.

USSN 10/036,819

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Respectfully submitted,

Date March 25, 2004

FOLEY & LARDNER LLP
Customer Number: 23524

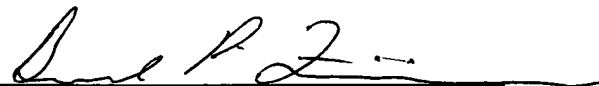
23524

PATENT TRADEMARK OFFICE

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By



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Registration No. 44,689